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**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

) **Subcase: 65-02916**

Case No. 39576

)
) **NOTICE OF COURT'S INTENT TO**
) **ISSUE AMENDED PARTIAL DECREE,**
) **AND NOTICE OF HEARING THEREON**

)
)
)

On October 31, 2000, a *Partial Decree* was issued for the above-captioned water right. Effective July 1, 2002, the Idaho Legislature approved the use of a Geographic Information system (GIS) for describing the place of use (digital boundary) for water rights meeting certain criteria. See I.C. §§ 42-219(2) and 42-1411(2)(h). The GIS mapping technology allows the geographic area encompassing the place of use for a water right to be particularly identified and visually displayed in a map overlay format through the aid of computer technology.

Digital Boundary mapping is appropriate for water rights that are for an irrigation purpose of use and also meet one of the following criteria: (1) used in conjunction with an irrigation project where the canals constructed cover an area of twenty-five thousand (25,000) acres or more; (2) the place of use for the water rights is located within an irrigation district organized pursuant to the laws of the state of Idaho; or (3) the water rights are for an irrigation project developed by an association, company, corporation or the United States to divert and deliver or distribute surface water under any annual charge or rental for beneficial use by more than five (5) water users in an area less than twenty-five thousand (25,000) acres.

The above water right meets one of the above-stated criteria. Furthermore, the irrigation company which controls the above water right has similarly situated water

**NOTICE OF COURT'S INTENT TO ISSUE AMENDED PARTIAL DECREE,
AND NOTICE OF HEARING THEREON**

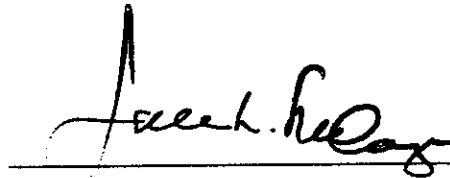
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rights which have been or may be decreed with digital boundaries. Therefore, the Court finds that amending this decree to conform with nearby water rights would assist in the administration of those water rights. Accordingly, it is the Court's intent to issue an amended partial decree for the purpose of adding digital boundary language to the *Partial Decree* and incorporating the map depicting the place of use, attached hereto.

Therefore, IT IS ORDERED that a hearing will be held on this matter on **July 20, 2004** at the Snake River Basin Adjudication Courthouse, 253 3rd Avenue North, Twin Falls, Idaho. Any party wishing to object or comment on the Court's proposed action shall do so at that time. Attendance at this hearing is not required, as the Court will take the proposed action in the absence of any objection to the contrary. Telephone participation will be available by calling 1-918-583-3445 and entering 406128 when prompted.

Dated May 25, 2004



JOHN MELANSON
Presiding Judge
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
AMENDED

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 65-02916

NAME AND ADDRESS: BOULDER IRRIGATION CO
C/O SCHENCK REMSEN
PO BOX 450
MC CALL, ID 83638

SOURCE: LOUIE LAKE TRIBUTARY: LOUIE CREEK

QUANTITY: 361.00 AFY

PRIORITY DATE: 09/16/1925

POINT OF DIVERSION: T18N R04E S33 SENE Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation from Storage	04-15 TO 10-15	361.00 AFY
	Irrigation Storage	01-01 TO 12-31	361.00 AFY

PLACE OF USE:

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) (2003) and authorized pursuant to I.C. Section 42-1411 (2) (h) (2003). The data comprising the digital boundary are incorporated herein by reference and are stored on a cd-rom disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DRAFT

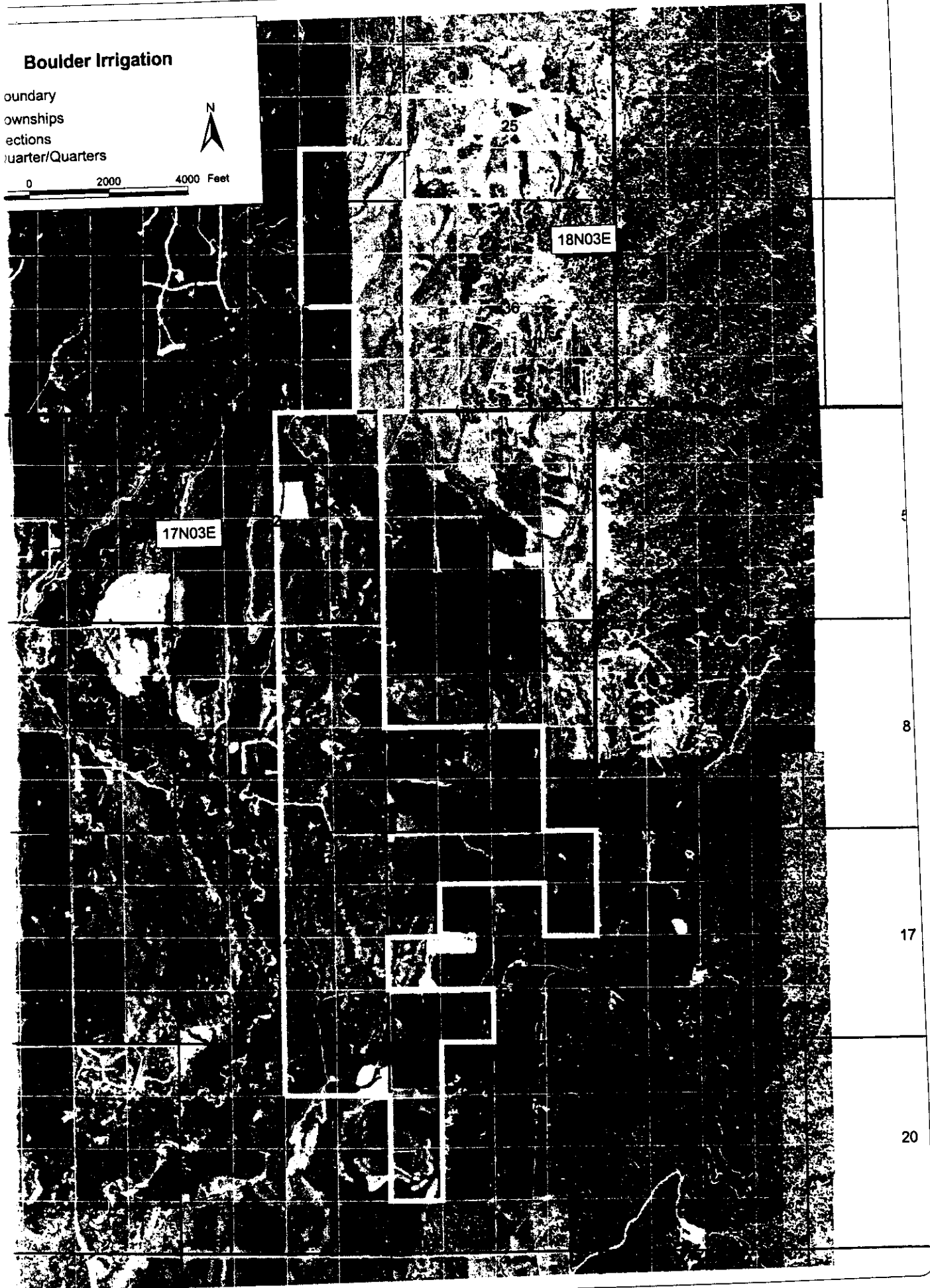
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

Boulder Irrigation

boundary
ownships
ections
uarter/Quarters



0 2000 4000 Feet



25

18N03E

36

17N03E

8

17

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CERTIFICATE OF MAILING

I certify that a true and correct copy of the NOTICE OF COURT'S INTENT TO ISSUE AMENDED PARTIAL DECREE AND NOTICE OF HEARING THEREON was mailed on May 25, 2004, with sufficient first-class postage to the following:

BOULDER IRRIGATION CO
C/O SCHENCK REMSEN
PO BOX 450
MC CALL, ID 83638
Phone: 208-634-3238

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098